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Planning Board Minutes

Tuesday January 10, 2006

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Memorial Building
150 Concord Street, Nevins Hall

8 Those present: Thomas Mahoney, Chairman, Ann Welles, Vice Chairman, Sue Bernstein, Carol
9 Spack, Clerk, and Andrea Carr-Evans. Also present: Jay Grande, and Jessica Levensgood.

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11 *(The tape recorder could not be used because no electrical outlets were readily available. The*
12 *Board was made aware and agreed to continue with handwritten minutes.)*
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14 **Meeting was called to order at 7:45 pm**

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16 **I.** The Board had a brief discussion of the Brimstone case decision
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18 **II. Zoning Discussion,**

19 **Earth Removal/Earth Fill By-Law Amendment Discussion**

20 The overall proposal is to amend the Earth Removal By-Law to include regulation
21 of Earth Fill. The inclusion was prompted by successful examples from other
22 communities that regulate both processes together. The Board went through the
23 By-Law to make the necessary additions, which necessitated creating a new
24 definition, providing related clarifications in several sections and making minor
25 changes throughout. Several issues need to be revisited, including: specifying the
26 original intent of the term “public use” in H.2.c. (ask Donna Jacobs); can H.2.c.5.
27 exempt “any existing” sand and gravel operation (ask Town Council); should an
28 exemption be provided in H.2.c. for school related athletic fields (Board should
29 revisit); consider adding more language to the section (H.2.e.2.) relating to
30 Lender’s Agreements and the Town Treasurer; inserting language with more legal
31 defensibility to H.2.g.2; and consider adding language in H.2.h on “Non-Criminal
32 Violations” with Jay acting as enforcer. There was considerable discussion on
33 how to capture ANRs in all of the earth-related by-laws.

34 **Land Clearing By-Law Amendment Discussion**

35 The proposed amendments to the Land Clearing By-Law submitted by Sue seek to
36 strengthen the regulations and require more specific documentation of existing vs.
37 proposed conditions on the plans. There was considerable discussion regarding how
38 to avoid the clearing of street, shade, perimeter and entrance trees that provide
39 distinct neighborhood character. Andrea suggested including a clarification of shade
40 and street trees into the Definitions section (H.4.b.) as a red flag. Jay has language

1 that may be applicable. Land Clearing discussion was unfinished
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3 **I. Meeting Adjournment**

4 *The meeting adjourned at 10:10pm.*

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6 Respectfully submitted,
7 Mary Reynolds
8 Recording Secretary
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11 ****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT THE PLANNING**
12 **BOARD MEETING OF FEBRUARY 9, 2006.**
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16 Thomas Mahoney, Chairman
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